

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

KEVIN L. BRADLEY,	:	Case No. 3:08-cv-210
	:	
Petitioner,	:	Judge Timothy S. Black
	:	Magistrate Judge Sharon L. Ovington
vs.	:	
	:	
DEBORAH TIMMERMAN-COOPER,	:	
	:	
Respondent.	:	

**DECISION AND ENTRY: (1) ADOPTING THE REPORT AND
RECOMMENDATIONS (Doc. 17) OF THE UNITED STATES MAGISTRATE
JUDGE; (2) DISMISSING PETITIONER'S PETITION FOR WRIT OF
HABEAS CORPUS (Doc. 4); and (3) TERMINATING THIS CASE**

This case is before the Court on the Report and Recommendations of the United States Magistrate Judge Sharon L. Ovington, submitted September 16, 2010. (Doc. 17). The Magistrate Judge, after reviewing the pleadings filed with the Court, recommends that the Petitioner's Petition for Writ of Habeas Corpus be dismissed as moot, and that this case be terminated on the docket of this Court. (*Id.*) The Magistrate Judge concludes that "there is reason to believe" this matter is now moot because Petitioner has obtained the relief sought in his Petition from the Ohio Court of Appeals,¹ i.e, a reduced sentence, and/or because Petitioner is no longer incarcerated as a result of the sentence he challenges. (*Id.*) Neither party objected to the Report and Recommendations and the time for doing so expired October 4, 2010.

On October 12, 2010, the Court ordered Petitioner to show cause, in writing within seven days, as to why his Petition for Writ of Habeas Corpus (Doc. 4) should not be dismissed as moot for the reasons set forth in the Report and Recommendations of the Magistrate Judge. (Doc. 18). Petitioner failed to respond to the Show Cause Order.

¹ *State v. Bradley*, 184 Ohio App.3d 443, 2009-Ohio-5299, 921 N.E.2d 304.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge *de novo*. Upon consideration of the foregoing, the Court does determine that the Report and Recommendations (Doc. 17) should be and is hereby adopted in its entirety. Accordingly, the Court finds that:

- (1) The Report and Recommendations of the Magistrate Judge (Doc. 17) is hereby **ADOPTED**;
- (2) Petitioner's Petition for Writ of Habeas Corpus (Doc. 4) is **DISMISSED**;
- (3) The case is **TERMINATED** on the docket.

IT IS SO ORDERED.

Date: _____

10/21/10

Timothy S. Black
Timothy S. Black
United States Magistrate Judge